



**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

Office of Inspector General
Washington, D.C. 20590

July 28, 2011

Mr. Jason Smathers
MuckRock
185 Beacon Street #3
Somerville, MA 02143

RE: FOIA Request No. FI-2011-0013

Dear Mr. Smathers:

This letter is in response to your Freedom of Information Act (FOIA) request sent to the U.S. Department of Transportation (DOT), Office of Inspector General (OIG), dated November 16, 2010. You requested records related to the CA/T Project I-90 Tunnel Ceiling Collapse, Alleged Payoffs to CA/T General Contractors and Officials for Construction Contracts, and MTA Severance Payments.

Enclosed are documents responsive to your request. You will note that some information was redacted or withheld pursuant to exemptions provided by the Freedom of Information Act (5 U.S.C. § 552(b)(3), (5), (6) and (7)(C)).¹ A total of 124 pages were responsive to your request. We are producing 37 pages.

¹ Exemption 3 incorporates nondisclosure provisions contained within federal statutes other than FOIA. Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319, protects certain records related to grand jury proceedings from disclosure.

Exemption 5 protects documents that are predecisional and a direct part of the deliberative process.

Exemption 6 protects names and any data identifying individuals if public disclosure would be a clearly unwarranted invasion of privacy.

Exemption 7(C) protects personal information in law enforcement records. It prevents the disclosure of law enforcement information which could reasonably be expected to constitute an unwarranted invasion of personal privacy.

The FOIA gives you the right to appeal adverse determinations to the appeal official for the agency. The appeal official for the OIG is the Assistant Inspector General, Brian A. Dettelbach. Any appeal must be submitted within 30 days after you receive this letter.

Any appeal should contain all facts and arguments that you propose warrant a more favorable determination. Please reference the file number above in any correspondence. Appeals to Mr. Dettelbach should be prominently marked as a "FOIA Appeal" addressed to: U.S. Department of Transportation, Office of Inspector General, 7th Floor West (J3), 1200 New Jersey Avenue, SE, Washington, DC 20590.

If you have any questions regarding your request, please contact me at (202) 366-1406 or Angel Simmons OIG FOIA/PA Officer at (202) 366-6131. Any written correspondence should reference the above FOIA number.

Sincerely,



Barbara A. Hines
OIG FOIA/PA Attorney

Enclosure